### IN THE UNITED STATES DISTRICT COURT

### FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO.

v. : DATE FILED:\_\_\_\_\_

**EUGENE EGGLESTON** : **VIOLATIONS:** 

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A) (possession with intent to distribute in excess of 5

kilograms of cocaine)

18 U.S.C. § 924(c)(1) (possession of a firearm in furtherance of a drug

trafficking crime)

18 U.S.C. § 922(g)(1) (felon in

possession of a firearm) Notice of additional factors

**Notice of forfeiture** 

## **INDICTMENT**

### **COUNT ONE**

### THE GRAND JURY CHARGES THAT:

On or about September 9, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

### **EUGENE EGGLESTON**

knowingly and intentionally possessed with intent to distribute more than 5 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

# **COUNT TWO**

### THE GRAND JURY FURTHER CHARGES THAT:

On or about September 9, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

### **EUGENE EGGLESTON**

knowingly possessed the following three firearms:

- (1) a loaded Norinco MAC 90 Sportster semi-automatic rifle, serial no. 94114727;
- (2) a loaded Masterpiece Arms 9 mm. semi-automatic rifle, serial no. B1797; and
- (3) a loaded Ruger 9 mm. semi-automatic pistol, serial no. 30187268; in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

# **COUNT THREE**

### THE GRAND JURY FURTHER CHARGES THAT:

On or about September 9, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

# **EUGENE EGGLESTON,**

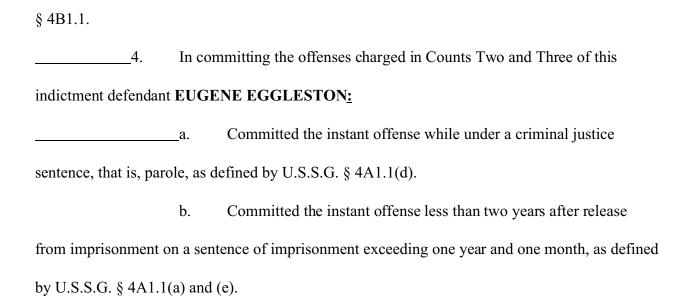
having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce three firearms:

- (1) a loaded Norinco MAC 90 Sportster semi-automatic rifle, serial no. 94114727;
- (2) a loaded Masterpiece Arms 9 mm. semi-automatic rifle, serial no. B1797; and
  - (3) a loaded Ruger 9 mm. semi-automatic pistol, serial no. 30187268. In violation of Title 18, United States Code, Section 922(g)(1).

# **NOTICE OF ADDITIONAL FACTORS**

### THE GRAND JURY FURTHER CHARGES THAT:

- 1. In committing the offenses charged in Counts One, Two and Three of this indictment, defendant **EUGENE EGGLESTON**:
- a. Committed an offense and relevant conduct involving more than 5 kilograms of cocaine, as described in U.S.S.G. § 2D1.1(a)(3).
- b. Committed an offense in which a dangerous weapon (including three firearms) was possessed, as described in U.S.S.G. § 2D1.1(b)(1).
- 2. In committing the offenses charged in Counts Two and Three of this indictment, defendant **EUGENE EGGLESTON**:
- a. Committed any part of the instant offenses subsequent to sustaining at least two felony convictions of either a crime of violence or a controlled substance offense, as described in U.S.S.G. § 2K2.1(a)(2).
- b. Committed an offense in which any firearm was stolen, as described in U.S.S.G. § 2K2.1(b)(4).
- c. Used and possessed any firearm and ammunition in connection with another felony offense, as described in U.S.S.G. § 2K2.1(b)(5).
- \_\_\_\_\_\_3. In committing the offenses charged in Counts One, Two and Three of this indictment, defendant **EUGENE EGGLESTON** was a career offender, as described in U.S.S.G.



# **NOTICE OF FORFEITURE**

### THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections
 924(c)(1)

and 922(g)(1) set forth in Counts Two and Three of this indictment, defendant

### **EUGENE EGGLESTON**

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the firearms and ammunition involved in the commission of this offense, including, but not limited to:

- (1) a Norinco MAC 90 Sportster semi-automatic rifle, serial no. 94114727;
- (2) a Masterpiece Arms 9 mm. semi-automatic rifle, serial no. B1797; and
- (3) a Ruger 9 mm. semi-automatic pistol, serial no. 30187268.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

	A TRUE BILL:
	GRAND JURY FOREPERSON
PATRICK L. MEEHAN UNITED STATES ATTORNEY	

